

## Department of Planning and Budget 2006 Fiscal Impact Statement

**1. Bill Number:** HB982

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Lewis

**3. Committee:** Agriculture, Conservation, and Natural Resources

**4. Title:** Control of avian influenza; penalty

**5. Summary/Purpose:** The bill allows the Commissioner of Agriculture and Consumer Services to adopt regulations to prevent and control avian influenza in the live-bird marketing system, and authorizes the Commissioner to participate in the federal Live Bird Marketing Program of the United States Department of Agriculture. Failure to comply with regulations promulgated under the bill is subject to civil penalties. The second enactment clause states that an emergency exists and that the bill is effective upon passage.

**6. Fiscal impact:** Any costs associated with development and promulgation of regulations by the Department of Agriculture and Consumer Services may be absorbed within the department's existing appropriation. Revenue from civil penalties assessed for violation of the provisions of the bill cannot be estimated at this time.

**7. Budget amendment necessary:** No. The nongeneral fund appropriation may be adjusted administratively as needed to account for civil penalties collected.

**8. Fiscal implications:** Any person violating any regulation adopted pursuant to the provisions of the bill is subject to civil penalties not to exceed \$2,500 per day per violation. The civil penalties will be paid into a special fund and used for carrying out the provisions of the bill.

**9. Specific agency or political subdivisions affected:** Department of Agriculture and Consumer Services.

**10. Technical amendment necessary:** No.

**11. Other comments:** The Senate substitute states that licensing regulations to take effect at least 90 days after publication in the Virginia Register of Regulations. The bill as engrossed by the House included this provision in the second enactment clause.

**Date:** 2/21/06 kbs

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cc: Secretary of Agriculture and Consumer Services